



# House of Representatives

General Assembly

**File No. 169**

February Session, 2006

House Bill No. 5034

*House of Representatives, March 28, 2006*

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING CONSTRUCTION SAFETY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2006*) (a) Each contract entered  
2 into on or after July 1, 2007, for the construction, remodeling,  
3 refinishing, refurbishing, rehabilitation, alteration or repair of any  
4 public building project by the state or any of its agents, or by any  
5 political subdivision of the state or any of its agents, where the total  
6 cost of all work to be performed by all contractors and subcontractors  
7 in connection with the contract is at least one hundred thousand  
8 dollars, shall contain a provision requiring that, not later than thirty  
9 days after the date such contract is awarded, each contractor furnish  
10 proof to the Labor Commissioner that all employees performing  
11 manual labor on or in such public building, pursuant to such contract,  
12 have completed a course of at least ten hours in duration in  
13 construction safety and health approved by the federal Occupational  
14 Safety and Health Administration or, in the case of

15 telecommunications employees, have completed at least ten hours of  
16 training in accordance with 29 CFR 1910.268.

17 (b) Any employee required to complete a construction safety and  
18 health course required under subsection (a) of this section who has not  
19 completed the course shall be subject to removal from the worksite if  
20 the employee does not provide documentation of having completed  
21 such course by the fifteenth day after the date the employee is found to  
22 be in noncompliance. The Labor Commissioner or said commissioner's  
23 designee shall enforce this section.

24 (c) Not later than January 1, 2007, the Labor Commissioner shall  
25 adopt regulations, in accordance with the provisions of chapter 54 of  
26 the general statutes, to implement the provisions of subsections (a) and  
27 (b) of this section. Such regulations shall require that the ten-hour  
28 construction safety and health courses required under subsection (a) of  
29 this section be conducted in accordance with federal Occupational  
30 Safety and Health Administration Training Institute standards, or in  
31 accordance with 29 CFR 1910.268, as appropriate. The Labor  
32 Commissioner shall accept as sufficient proof of compliance with the  
33 provisions of subsection (a) or (b) of this section a student course  
34 completion card issued by the federal Occupational Safety and Health  
35 Administration Training Institute, or such other proof of compliance  
36 said commissioner deems appropriate, dated no earlier than five years  
37 before the commencement date of such public works project.

38 (d) For the purposes of this section, "public building" means a  
39 structure, paid for, in whole or in part, with state funds, within a roof  
40 and within exterior walls or fire walls, designed for the housing,  
41 shelter, enclosure and support or employment of people, animals or  
42 property of any kind, including, but not limited to, sewage treatment  
43 plants and water treatment plants. "Public building" does not include  
44 site work, roads or bridges, rail lines, parking lots or underground  
45 water, sewer or drainage systems including pump houses or other  
46 utility systems.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2006</i>	New section
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**LAB**      *Joint Favorable C/R*

GAE

**GAE**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Labor Dept.	GF - Cost	None	Less than \$75,000

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

This bill requires that all workers on state and municipal public works construction projects of \$100,000 or more complete a 10-hour construction and training safety course approved by the federal Occupational Safety and Health Administration (OSHA), or in the case of telecommunications work, they must complete 10 hours in federal OSHA telecommunications safety training. Employees found on a worksite who have not completed the course will be removed from the worksite if proof is not provided within 15 days after the worker was found to be noncompliant. The Labor Commissioner must accept as proof of complying with this requirement a course completion card, good for five years, issued by the federal OSHA training institute.

The Labor Department would need to configure a computer tracking system and hire a ½ time Special Investigator to administer the workload increase with respect to the administration of this new responsibility. Since the provisions of the bill relate to contracts entered into after July 1, 2007, the fiscal impact would begin in FY 08.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would

continue into the future subject to inflation.

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**OLR BILL ANALYSIS**  
**HB 5034*****AN ACT CONCERNING CONSTRUCTION SAFETY.*****SUMMARY:**

This bill requires that all state or municipal building construction contracts of \$100,000 or more, entered into on or after July 1, 2007, include a provision requiring the contractor to prove that all its employees performing manual labor or telecommunications work have completed safety training. Manual laborers must complete a 10-hour construction safety course conducted in accordance with federal Occupational Safety and Health Administration (OSHA) Training Institute standards, and telecommunications workers must complete 10 hours in federal OSHA telecommunications safety training. Proof of course or training completion must be submitted to the state labor commissioner within 30 days after the contract is awarded.

The bill requires the Labor Department to remove from the construction worksite any employee required to complete a construction safety course if he does not have proof of course completion, unless he provides proof within 15 days after he was found in noncompliance. The bill requires the labor commissioner to accept an OSHA Training Institute-issued student course completion card or other such proof that he deems appropriate. Course completion cards are valid for five years.

The bill does not provide a similar enforcement procedure for telecommunications workers who are found without proof of safety training.

The bill applies to all public building projects and defines "public building" as a structure, funded as least partly by the state, with a roof and exterior or fire walls designed for housing, shelter, enclosure, and

support or employment of people, animals, or property of any kind, including sewage-treatment and water-treatment plants. It does not include site work; roads or bridges; rail lines; parking lots; or underground water, sewer, or drainage systems including pump houses or other utility systems.

The bill applies to contracts signed by the state and any of its political subdivisions, which includes quasi-public agencies. It requires the commissioner to adopt the necessary regulations by January 1, 2007.

EFFECTIVE DATE: October 1, 2006

## **BACKGROUND**

### ***Federal Telecommunications Safety Training***

Federal regulations require employers to provide safety training for telecommunications workers working in the field or at phone centers and prohibits workers from performing such work until they receive the training (29 CFR 1910.268).

## **COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Change of Reference

Yea 12 Nay 0 (02/23/2006)

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 6 (03/14/2006)